

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff;

vs.

DIEGO GARCIA, *et al.*,

Defendants

CASE NO.: 2:16-cr-265-GMN-NJK

ORDER

The Court, having fully considered the Motion for Defense Witness Travel Assistance, (ECF No. 2048), pursuant to 28 U.S.C. § 1821 submitted by Defendant Diego Garcia on behalf of all Group 1 Defendants, Pastor Palafox, Albert Perez, James Gillespie, Ernesto Gonzalez, Cesar Morales, Albert Lopez, Bradley Campos, and Diego Garcia, FINDS:

1. The trial in this case commenced on July 29, 2019. The Defense commenced its case and witness testimony on November 25, 2019.
2. Since the commencement of the Defense's case, several Defense witnesses have traveled to Las Vegas for testimony but due to unforeseen circumstances, have been unable to testify.
3. Most recently, four (4) court dates (1/6/20; 1/7/20; 1/13/20; and 1/14/20) scheduled for testimony of Defense witnesses were cancelled due to juror illness. As such, said Defense witnesses, some on more than one occasion, have had to return to their original destinations and rescheduled for future testimony.
4. These circumstances causing the delay in the trial and the delay of the testimony of Defense witnesses were unforeseeable and said delay has not been caused by the

1 Defense.

- 2 5. Good cause exists for this Order, requiring the United States Marshal for the District
3 of Nevada to continue its efforts to arrange, coordinate and pay for Defense witness
4 travel, housing, and related costs for the remainder of this trial, expected to last
5 through the end of February 2020.
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7 IT IS HEREBY ORDERED that in light of these unforeseen circumstances, good cause
8 exists for the United States Marshal for the District of Nevada to continue its efforts to facilitate
9 the transportation and housing of Defense witnesses, some of which may be duplicative of prior
10 efforts, pursuant to 28 U.S.C. § 1821.

11 IT IS FURTHER ORDERED that Defendants' Motion for Witness Travel Assistance,
12 (ECF No. 2048), is GRANTED consistent with the foregoing.
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14 Dated this 15 day of January, 2020.

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18 Gloria M. Navarro, District Judge
19 UNITED STATES DISTRICT COURT
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